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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSHUA MICHAEL GODFREY,

Defendant and Appellant.

A157029

(San Mateo County
Super. Ct. Nos. SC053268A,
SC053269A)

In 2010, Joshua Michael Godfrey pled no contest to numerous felonies and admitted several sentencing enhancement allegations, and the trial court sentenced him to state prison. In 2018, Godfrey requested resentencing pursuant to Senate Bill No. 620 (2017–2018 Reg. Sess.). The court denied the request, and later denied Godfrey’s “Motion to Vacate (Error Corum Nobus).” We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

In 2010, Godfrey pled no contest to numerous felonies, including carjacking (Pen. Code, § 215, subd. (a))¹ and assault with a firearm (§ 245, subd. (b)), and admitted numerous sentencing enhancement allegations (§§ 12022.5, subd. (a), 12022.53, subd. (b)). The trial court sentenced him to 31 years and four months in state prison. In June 2018, Godfrey, acting in propria persona, requested resentencing pursuant to Senate Bill

¹ Statutory references are to the Penal Code. We recite only those facts relevant to the issues encompassed in the notice of appeal.

No. 620, which took effect on January 1, 2018. The trial court denied Godfrey's request because his judgment was final when the amendment became effective.

In December 2018, Godfrey filed a "Motion to Vacate (Error Corum Nobus)" in propria persona. Godfrey challenged "his placement on parole via paper committment," (*sic*) alleging it violated his equal protection rights. He also argued the sentencing judge stated the parole term would "be 'discharged' upon speaking with a parole officer," but that "no meeting with . . . parole agents occurred," in violation of equal protection and section 3000. In March 2019, the court denied the motion. It determined Godfrey "was ordered to report for parole in 2006. Thus, any challenge to that order is untimely."

DISCUSSION

Appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, and informed Godfrey of his right to file a supplemental brief. Godfrey has not filed a supplemental brief. We have reviewed the entire record and find no arguable issues. (*People v. Kelly* (2006) 40 Cal.4th 106.) The March 21, 2019 order denying the "Motion to Vacate (Error Corum Nobus)" is affirmed.

Jones, P.J.

WE CONCUR:

Needham, J.

Burns, J.

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